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LETTER DATED 13 OCTOBER 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the pleasure to enclose herewith a letter dated 13 October 1991 from Mr. Ahmad Hussein, Minister for Foreign Affairs of the Republic of Iraq, concerning a violation by Israeli military aircraft that coincided with a flight of helicopters being used by United Nations inspectors in the same area as the Israeli violation.

I should be grateful if you would have this letter and its annex distributed as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

Annex

Letter dated 13 October 1991 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to draw your attention to the following two letters addressed to you: the first, dated 6 October 1991, concerns a violation by Israeli military aircraft of Iraqi airspace in western Iraq on 4 October 1991, which coincided with a flight of United Nations helicopters in the same area. The second letter, dated 12 October 1991, concerns a statement made on 9 October 1991 by Marlin Fitzwater, spokesman for the White House in the United States of America, in which he stated that the United States authorities would provide Israel with any information they obtained about Iraq.

I should like here to refer to a matter of considerable importance and sensitivity which will require from you and from the Security Council the necessary serious consideration.

On Friday, 4 October 1991, four Israeli AF-15 fighter-bombers violated Iraqi airspace. This serious violation coincided with a flight of helicopters being used by United Nations inspectors in the same area. The Israeli aircraft were flying in close military formation with the United Nations aircraft, and this could well have caused a tragic accident involving the United Nations aircraft if the Israeli war-planes had attacked targets in the area of Iraqi territory.

The fact that Israeli military aircraft violated the airspace of western Iraq at the same time as United Nations aircraft were flying over the same area was no coincidence: rather, this was deliberate and constituted one of Israel's objectives. Moreover, it is clear that this could cause our anti-aircraft defences to assess the situation wrongly and to target the United Nations aircraft when these defences were in a state of alert, expecting hostile aircraft to violate Iraqi airspace.

The presence of United Nations aircraft over western Iraq at the same time as Israeli war-planes violated that airspace prevented Iraq from taking the necessary anti-aircraft defence measures to repel the Israeli aggression against our airspace.

We are entitled to ask: what would happen if Israeli aircraft reached Baghdad or any other place in Iraq and attacked us, taking advantage of the presence of United Nations aircraft in the airspace over that area?

Such a case, which is extremely probable, would put us in a difficult position, since we would either take action to repel Israeli aggression, thereby exposing United Nations aircraft to danger, or be unable to defend our country, leaving the Israelis to strike any targets they deemed fit. It should be noted in particular that the Israelis have asserted in more than one

official statement that they will continue their violations of Iraqi airspace, claiming that that is one of their duties in maintaining the security of Israel.

We have raised this matter forcefully and in detail with Mr. Rolf Ekéus, Chairman of the Special Commission, during his latest visit to Baghdad from 4 to 6 October 1991.

I urge that you give consideration to this matter, and that either you or the Security Council take the necessary measures to ensure that Israel will not repeat its violations of Iraqi airspace, and give assurances of that. Otherwise, in the event of renewed Israeli aggression against our airspace when United Nations aircraft are present in the same area, we shall not be responsible for the safety of those aircraft and of any United Nations inspectors on board as we respond to aggression by Israeli war-planes in defence of our country and our interests. This is a legitimate right guaranteed under international law and the Charter of the United Nations.

I cannot but express my regret at the failure of the Security Council to respond forcefully to the serious, aggressive conduct manifested by Israel against Iraq, and I can only say that the position taken by the Security Council up to this time confirms once again the pursuit of a policy of double standards and two different yardsticks.

I should be grateful if you would reply to this letter, and I request you to have it distributed as a document of the Security Council.

(Signed) Ahmad HUSSEIN
Minister for Foreign Affairs of
the Republic of Iraq